



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :	
REVOCATION OF THE LICENSE OF :	
TIFFANY E. SEKZER, L.P.N. :	ADMINISTRATIVE ACTION
License No. 26NP05878800 :	
TO PRACTICE NURSING IN THE STATE :	FINAL ORDER OF
OF NEW JERSEY :	DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Tiffany E. Sekzer ("Respondent") is a licensed practical nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on July 5, 2012 by the Cedar Grove Township Police Department for Obtaining A Controlled Dangerous Substance by Fraud, N.J.S.A. 2C:35-13, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Montclair, New Jersey, via regular and certified mail on or about July 11, 2012. The regular

mailing was not returned; the certified mailing was returned to the Board as "unclaimed."

3. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on October 26, 2012, provisionally suspending respondent's nursing license, and imposing a \$200.00 civil penalty. A copy of the Order was forwarded to respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting

any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Ms. Sekzer replied to the Provisional Order, and furnished the information requested. The Board therefore found that suspension of respondent's nursing license was no longer applicable. The Board further found that respondent's failed to furnish the documents clearly requested in the Board's original inquiry, where respondent was advised that failure to make a timely response (which included documentation of required continuing education) could result in disciplinary action constituted a failure to cooperate within the intendment of N.J.A.C. 13:45C-1.2, -1.3. Although respondent claimed she was advised by an unspecified Board employee that the Board's investigation had been closed, there is no documentation of this assertion, and even in the unlikely event that she had been so advised with regard to an arrest, particularly an arrest related to obtaining a controlled dangerous substance by fraud, it would not have affected the Board's request for continuing education documentation. The Board thus determined that the Provisional Order of Discipline should be made final, imposing the \$200.00 monetary penalty for failure to timely respond to the Board's inquiry.

ACCORDINGLY, IT IS on this 13th day of February, 2013,

ORDERED that:

1. A civil penalty in the amount of \$200.00 is hereby imposed upon Respondent. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APRN
Patricia Murphy, PhD, APRN
President